

EXHIBIT A

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

RAYFORD SMITH,

Plaintiff,

vs.

**WORKRISE TECHNOLOGIES INC.
AND HCS RENEWABLE ENERGY LLC,**

Defendants.

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Civil Action No. _____

INDEX OF DOCUMENTS BEING FILED WITH NOTICE OF REMOVAL

- 1. All executed process in the case;**
- 2. Pleadings asserting cause of action:**
 - a. Plaintiff's Original Petition;**
- 3. All orders signed by the State Court Judge (None);**
- 4. The docket sheet; and**
- 5. A list of all counsel of record, including addresses, telephone numbers and parties represented.**

Case Number: 2021CI20843

Rayford Smith VS Workrise, d/b/a HCS Renew
(Note: Attached Document May Contain Additional
Litigants)

IN THE 285TH DISTRICT COURT
BEXAR COUNTY, TEXAS

CITATION

"THE STATE OF TEXAS"

Directed To: **Workrise, d/b/a HCS Renew**
BY SERVING ITS CEO XUAN YONG

"You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10:00am on the Monday next following the expiration of twenty days after you were served this CITATION and PETITION a default judgment may be taken against you. In addition to filing a written answer with the clerk, you may be required to make initial disclosures to the other parties of this suit. These disclosures generally must be made no later than 30 days after you file your answer with the clerk. Find out more at TexasLawHelp.org" Said S ORIGINAL PETITION, JURY DEMAND AND REQUEST FOR DISCLOSURE was filed on this the 1st day of October, 2021.

ISSUED UNDER MY HAND AND SEAL OF SAID COURT on this the 4th day of October, 2021.

DENNIS L RICHARD
ATTORNEY FOR PLAINTIFF
14255 BLANCO RD
SAN ANTONIO TX 78216



Mary Angle Garcia
Bexar County District Clerk
101 W. Nueva, Suite 217

San Antonio, Texas 78205
By: /s/ Ana Cortijo
Ana Cortijo, Deputy

RAYFORD SMITH VS WORKRISE, D/B/A HCS RENEW

Case Number: 2021CI20843
285th District Court

Officer's Return

I received this CITATION on the _____ day of _____, 20____ at _____ o'clock ____ M. and () executed it by delivering a copy of the CITATION with attached S ORIGINAL PETITION, JURY DEMAND AND REQUEST FOR DISCLOSURE the date of delivery endorsed on it to the defendant _____ In person on the _____ day of _____, 20____ at _____ o'clock ____ M. at _____ or () not executed because _____.

Fees: _____ Badge/PPS #: _____ Date certification expires: _____

Texas _____ County,

BY:

OR: VERIFICATION OF RETURN (If not served by a peace officer) SWORN TO THIS _____

NOTARY PUBLIC, STATE OF TEXAS

OR: My name is _____, my date of birth is _____, and my address is _____ County.

I declare under penalty of perjury that the foregoing is true and correct. Executed in _____ County, State of Texas, on the _____ day of _____, A.D., _____.

WC

Declarant

2021CI20843

CAUSE NO. _____

CIT PPS W/JD

RAYFORD SMITH,
Plaintiff,

vs.

WORKRISE, d/b/a HCS RENEW,
Defendant.

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IN THE DISTRICT COURT

285th
JUDICIAL DISTRICT

BEXAR COUNTY, TEXAS

PLAINTIFF'S ORIGINAL PETITION, JURY DEMAND
AND REQUEST FOR DISCLOSURE

TO THE HONORABLE JUDGE OF SAID COURT:

NOW COMES, Rayford Smith, hereinafter referred to as Plaintiff or "Smith", complaining of and about Workrise, d/b/a HCS Renew, hereinafter referred to as Defendant or "Workrise" and for cause of action files this his Plaintiff's Original Petition, showing to the Court as follows:

I.

PARTIES AND SERVICE

1. Plaintiff, Smith, is a citizen of the United States and the State of Texas and resides in the State of Texas.
2. Defendant, Workrise, is a Domestic for Profit-Corporation, doing business in the State of Texas. This Defendant may be served with process by delivering a copy of Plaintiff's Original Petition to Xuan Yong, CEO of Workrise, by certified mail return receipt requested at 111 Congress Ave., Suite 900, Texas 78701.
3. This is a Level III case.

II.

JURISDICTION AND VENUE

4. This Court has jurisdiction over the subject matter and the parties to this case. Workrise has conducted business in Bexar County and therefore venue properly lies in Bexar

County.

III.
JURY DEMAND

5. Plaintiff is requesting trial by jury and will tender the statutory jury fee.

IV.
AGENCY

6. Whenever in this petition it is alleged that the Defendant did any act or thing, it is meant that Defendant's officers, agents, servants, employees or representatives did such act or thing and that at the time such act or thing was done, it was done with the full authorization or ratification of or by Defendant and was done in the normal and routine course and scope of employment of Defendant's officers, agents, servants, employees or representatives.

V.
FACTS

7. This case is founded upon Defendant's violations of 42 U.S.C. 1981, as evidenced by the following acts of Race Discrimination. Workrise's supervisor, Romeo LNU, terminated Plaintiff for the stated reason that Smith failed to demonstrate acceptable performance during Smith's one week period of employment. That reason was a pretext for the real reason, Race Discrimination. Smith is an African American and during his one week of employment, he was present and working as a member of Defendant's construction crew. Humberto Apolinar, a Hispanic member of the same crew only worked 4 out of 5 days and was not as productive as Plaintiff. Apolinar was retained and Smith was terminated. The conduct of Romeo LNU confirms a scheme of Racial Discrimination and violations of 42 U.S.C. 1981.

VI.
DAMAGES

8. By reason of Defendant's acts and conduct, as herein alleged, Plaintiff has been damaged as follows:

a.) Compensatory damages (including emotional pain and suffering, inconvenience, mental anguish, loss of enjoyment of life, and other non-economic damages) allowed under 42 U.S.C. 1981.

b.) Economic damages in the form of lost back pay and lost fringe benefits in the past. Economic damages, in the form of lost wages and fringe benefits that will, in reasonable probability, be sustained in the future.

c.) Attorney's fees pursuant to applicable statutes.

d.) Punitive damages for Defendant engaging in unlawful intentional employment practices and engaging in discriminatory practices with reckless indifference to the protected rights of an aggrieved individual, Plaintiff Rayford Smith. Said conduct also amounts to a conscious indifference to the rights and welfare of Smith. Plaintiff also seeks punitive damages under his claims for violation of Section 1981 of the Civil Rights Act of 1866.

9. Pursuant to Rule 47 of the Texas Rules of civil Procedure, Plaintiff hereby seeks monetary relief over \$200,000 but not more than \$1,000,000, including costs, expenses, pre- and post-judgment interests, and attorney's fees. Plaintiff further requests that the non-expedited rules apply in this case.

VII.
REQUEST FOR DISCLOSURE

10. Under Texas Rule of Civil Procedure 194, Plaintiff requests that Defendant disclose within fifty (50) days of the service of this request the information or material described in Texas Rule of Civil Procedure 194.2.

PRAYER

WHEREFORE, PREMISES CONSIDERED, Plaintiff prays that upon final trial of this cause, Plaintiff has and recovers of and from the Defendant actual damages and punitive damages in a sum within the jurisdictional limits of this Court, pre-and post-judgment interest as allowed by law, attorney's fees, costs of Court, and for such other and further relief, both general and special, at law or in equity, to which Plaintiff may show himself justly entitled.

Respectfully submitted,

/s/ Dennis L. Richard

Dennis L. Richard

SBN: 16842600

LAW OFFICE OF DENNIS L. RICHARD

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Automated Certificate of eService

This automated certificate of service was created by the eFiling system. The filer served this document via email generated by the eFiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

Envelope ID: 57780399

Status as of 10/1/2021 10:03 AM CST

Associated Case Party: Rayford Smith

Name	BarNumber	Email	TimestampSubmitted	Status
Dennis L. Richard		dennisrichardlaw@gmail.com	10/1/2021 8:34:34 AM	SENT
Maribel Susil		maribel@osgclaw.com	10/1/2021 8:34:34 AM	SENT

285th District Court
Case Summary
Case No. 2021CI20843

Rayford Smith VS Workrise, d/b/a HCS Renew

285th District Court

285th, District Court

10/01/2021

Location:

Judicial Officer:

Filed on:

Case Information

Case Type: EMPLOYMENT-DISCRIMINATION

Case Status: 10/01/2021 Pending

Assignment Information

Current Case Assignment

Case Number

2021CI20843

Court

285th District Court

Date Assigned

10/01/2021

Judicial Officer

285th, District Court

Party Information

Lead Attorneys

Plaintiff Smith, Rayford

RICHARD, DENNIS L
Retained

Defendant Workrise, d/b/a HCS Renew

Events and Orders of the Court

10/01/2021

New Cases Filed (OCA)

10/01/2021

PETITION

10/01/2021

JURY FEE PAID

10/04/2021

Citation

Workrise, d/b/a HCS Renew
Unserved

**LIST OF ALL COUNSEL OF RECORD, PARTIES REPRESENTED
AND COURT INFORMATION**

1. Attorney for Plaintiff

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FORDHARRISON LLP

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3. The Name and Address of the Court from which the case is being removed:

Bexar County District Court
285th Judicial District
100 Dolorosa 2nd Floor
San Antonio, Texas 78205